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-and-

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*Attorneys for Appellant/Creditor Community National Bank*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
COMMUNITY NATIONAL BANK,

Appellant /Creditor,

-against-

LIBERTY VILLAGE ASSOCIATES,  
LIMITED PARTNERSHIP,

Appellee /Debtor.  
-----X

05 CV 3397 (JGK)

**NOTICE OF DISMISSAL**


PLEASE TAKE NOTICE that, pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure, Community National Bank (the "Bank"), hereby discontinues this action and withdraws its appeal from the Order of the United States Bankruptcy Court for the Southern

District of New York (Gropper, J.), entered on February 15, 2005, which denied the Bank's motion for relief from the automatic stay subject to certain conditions set forth therein.

Dated: New York, New York  
April 18, 2005

Respectfully Submitted,

HUNTON & WILLIAMS LLP


By:   
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So Ordered.

  
4/26/05 U.S.D.J. r